

APPROVED: Meeting No. 22-97

ATTEST: *Paula S. Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 08-97

February 10, 1997

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on February 10, 1997, at 7:30 p.m.

PRESENT

Mayor Rose G. Krasnow

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

Councilmember Robert J. Wright

ABSENT

Councilmember Glennon J. Harrison (on business)

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell and Assistant City Attorney Sondra Block.

Re: City Manager's Report

1. The City is continuing to work with WSSC and the Penrose Group to refine the initial installation costs and maintenance responsibility for the Watts Branch pump-around alternatives. Mr. Kuckkahn said that he was pleased to report that the cost figures were generally decreasing. Staff continues to keep in contact with neighborhood representatives and welcomed residents' inquiries and requests for information.

2. After meeting with residents in the Potomac Woods Park area, staff moved one of the storm water management ponds in order to minimize damage to trees in the area. As a result of working with the neighborhoods, the City was able to locate the pond in the same general area but further downstream. An Open House is scheduled for February 21, from 5:00-7:00 pm, to provide information on the project. The City is interested in the opinions of residents, and anyone interested is encouraged to attend.

3. Mr. Kuckkahn said that at recent Citizens Forum, questions were raised concerning the status of the Dusty Hill Farm Wetland Mitigation project. Over the past year, the mitigation has gone very well. The survival rates were 88%, which was above the required 75% level. Mr. Kuckkahn emphasized that numerous small new trees were planted last fall at no cost to the City in order to restore the total number of plantings back to the number installed a year ago. New agriculture practices, including fencing to keep the livestock out of the newly created wetland, were also in place. Watering troughs for the livestock as well as rock lime waterways are in good condition. There was some pressure from non-point source pollution, primarily storm water runoff from the farm, in the form of small gullies in the wetland area. The threat, however was minimal and did not threaten the integrity of the overall wetland. Staff will continue to monitor this area to ensure that there is no damage to wetland. There was also evidence of noxious weeds in the wetland area, however, these are also being controlled. The Maryland Department of Environment reported that they are satisfied with the condition and progress of the

Meeting No. 08-97

3

February 10, 1997

mitigation project. Annual inspections and reporting will continue through the year 2000. The next inspection, scheduled for June 1997, will include a stream survey.

3. The Maryland Department of Environment is preparing to approve a \$25,000 grant to Rockville for the North Farm stream restoration project. Mr. Kuckkahn said that the City appreciated the State's continuing support of Rockville's storm water management efforts and their commitment to protecting Rockville's natural environment.

4. The Maryland Park and Recreation Association awarded a grant to the City's Recreation and Parks Department. The grant targets the City's 1996 amusement park program, which sold a total of 5,339 discount tickets to area and regional amusement parks. The program has been a successful source of funding for the scholarship program which provides residents at all income levels with an opportunity to purchase tickets at discount rates.

5. The Department of Public Works reminds residents that they should have one recycling container; however, if a second container was needed, residents can call the Refuse and Recycling Program at 301-309-3094, to request one.

6. The City is planning a trip to Pinneberg, Germany to celebrate the 40th Anniversary of the Rockville-Pinneberg Sister City relationship. The trip is scheduled April 24-30, and Pinneberg has a number of wonderful events planned for the celebration including an Anniversary Ball, a trip to Hamburg, and an evening reception in the City's honor. All residents are encouraged to participate. Anyone interested in traveling with the

Meeting No. 08-97

4

February 10, 1997

delegation should complete a registration form by February 14. Dick Knorpp at VIP Travel (301-424-0512) is available to answer any questions about the trip. Residents may also call Sister City liaison, Betsy Thompson at 301-309-3340 for additional information.

6. On January 31 and February 1, seventy individuals with a "stake" in the future of Rockville, met in a 16-hour search conference as part of the "Imagine Rockville - Shaping the Future" community visioning process. The group produced 14 vision points that described the type of community that people want to create for the future. The next step is to test the vision points with the rest of the community at a Vision Fair on February 22 and 23. All Rockville residents are encouraged to attend the Fair to examine the vision points and offer comments. The Search Conference participants will reconvene in March for an Action Conference, in order to design specific action steps to make this shared vision a reality. Call the Imagine Rockville Hotline at 301-315-6556 for further information.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Marge Costa, Fish Middleton, Inc. invited the Mayor and Council and Rockville residents to the Sixth Annual East Coast Jazz Festival, February 14-16 at the Rockville Doubletree Hotel. Ms. Costa said that the event is presented each year by the Fish Middleton Jazz Scholarship Fund and was one of the most exciting programs taking place in the area. Jazz entertainers, locally and from all over, will be performing. In

Meeting No. 08-97

5

February 10, 1997

addition, twelve jazz school bands from Rockville, Montgomery County, Pennsylvania, Washington, D.C., and Baltimore will be taking part in the weekend event, which is free and open to the public.

2. Murray Stein, 616 Northcliffe Drive thanked the Mayor and Council and other City staff for the favorable publicity he received on his exhibit held at the Glenview Mansion in January. He also expressed appreciation to Councilmember Harrison, who created a Web Page on RockNet about the exhibit.

Re: Appointments

Upon motion of Councilmember Wright, duly seconded and unanimously passed, Kristen Bender was appointed to serve as Chairperson of the Animal Matters Board.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Paul Douglas was appointed to a five year term on the Planning Commission, and Bill Meyer was appointed to fill out an unexpired term.

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, Virginia Onley was reappointed to serve as Chairperson and member of the Senior Citizens Commission, and Murray Stein was reappointed to serve as a member of the Commission.

Meeting No. 08-97

6

February 10, 1997

Re: Report from John Moser on the
1997 Legislative Session in
Annapolis.

Mr. Moser reported that the legislative session was one-third completed and the next 60 days would be an exciting time in Annapolis. To date, the total number of bills introduced in the House of Delegates was 1,187; and 832 bills in the Senate. Mr. Moser reported on the following matters:

- The City's \$375,000 bond issue for the Civic Center complex was introduced as HB 450, sponsored by Delegate Gordon, and SB 375, sponsored by Senators Forehand and Teitelbaum.

- All of the bond bills introduced by Montgomery County to date, total \$11,742,995; however, only \$12 million dollars was available for the entire State.

- The City sponsored two breakfast receptions for Annapolis legislators; one in the Senate for the Budget and Taxation Committee and Montgomery County's Senate Delegation, and another reception was held for the House Appropriations Committee and the House Delegation for Montgomery County. Forty-eight percent of all invited legislators, attended the receptions.

- Other meetings were held individually with the Chair of Budget and Taxation, Senator Ruben, Chair of the Montgomery County Delegation and Delegate Barve, Chair of Montgomery County's House delegation. Mr. Moser said that he came

Meeting No. 08-97

7

February 10, 1997

away from all of the meetings feeling optimistic that Rockville's needs would be seriously considered. Mr. Moser expressed his appreciation to City staff for their assistance in helping to make his job immeasurably easier. In addition, Mr. Moser said that he has received the full support of the District 17 Delegation--Kumar Barve, Cheryl Kagan, Mike Gordon, and Jennie Forehand.

- Mr. Moser said that he attends weekly meetings with the County Delegation and the House of delegates. He said that this was crucial to staying abreast of legislative events.

- An invitation was extended to House Speaker Cas Taylor to visit Rockville during the session, and Governor Glendening is planning to visit Rockville in May.

- Mr. Moser reported that he had spoken to Transportation Secretary Winsted about the Great Falls Road project. He is also working with the Maryland Department of Environment about obtaining additional funds for water projects in the City.

Mr. Moser then reported on the following items of interest to the City of Rockville.

(1) Montrose Parkway - This passed the County House Delegation by a 13 to 11 vote and was currently pending in the Senate.

(2) Photographing Red Light Runners - Introduced by Delegate Sheila Hixson, this bill targets red light runners by photographing the license tags of vehicles running red

Meeting No. 08-97

8

February 10, 1997

lights. The owners of the vehicles would be mailed a photograph of the offense and issued a citation.

(3) Operations of sound amplification systems - This bill targets drivers who have their car stereo amplifications turned up extremely loud.

The Mayor and Council agreed with Mr. Moser's suggestion that the City should hold a public information meeting on the Montrose Parkway issue, as the project had an impact on Rockville residents. The Mayor and Council also agreed that Mr. Moser should testify on the City's behalf, regarding the red light runner issue. Regarding the issue of sound amplification systems in one's vehicles, the Mayor and Council agreed that while the issue was worth supporting, there is some question as to how the law could be enforced.

Re: Presentation by Housing
Charities, Inc. (HCI), regarding
the City's REACH Program.

In attendance were HCI representatives Patty Zakotnik, Jackie Simon, Emma Kubasis and Paul Picosh.

Ms. Zakotnik, Area Manager for Equitable Mortgage Corporation and President of Housing Charities, Inc. (HCI), thanked the Mayor and Council for funding the program for the last four years. She said that the REACH program was entering its fifth year of operation. The program was created to provide down-payment and closing cost assistance to eligible first-time home buyers in Rockville. As of January 31, the

Meeting No. 08-97

9

February 10, 1997

City's REACH program funded 40 loans for purchasers to buy homes in the City of Rockville. Ms. Zakotnik introduced Jackie Simon, Past-President of HCI, Inc. and one of the volunteers who assist first-time home buyers. Ms. Simon spoke about the families that benefitted from the program. Emma Kubasis, a local realtor, was also introduced and she in turn introduced a former resident of the Blandford Apartments. She said that he was one of the two Blandford Apartment residents who were able to purchase a home through the REACH program.

Ms. Simon also acknowledged the good work of the Montgomery County Board of Realtors Federal Credit Union and its Director, Tony Lonnie. Ms. Simon introduced Paul Picosh of Inland Mortgage and current Chair of REACH's training program. Ms. Simon said that REACH's training program and the work of the county Board of Realtors Federal Credit Union were responsible for the good repayment history record of borrowers, who must participate in a four hour training program. Mr. Picosh thanked the Mayor and Council for the opportunity to help people in the community purchase homes. Mr. Picosh said that HCI was planning to present to the Mayor and Council, a formal proposal requesting funds to continue the REACH Program. Persons interesting in learning more about the Program should call 301-948-2662 for further information.

Meeting No. 08-97

10

February 10, 1997

Re: Report by Rockville Center, Inc.
(RCI) on the status of the Town
Center Redevelopment Project.

Mark Troen, Vice President of RCI presented the quarterly report on development activities which took place during the last quarter and over the past winter. Using a video presentation and drawing boards, Mr. Troen reviewed RCI's accomplishments on the parks, streets and the current construction. He said that during the Winter, the park was completed and the new sculpture was installed. In the Spring, landscaping will take place and the fountain will be dedicated and turned on. Plans for the amphitheater were underway. In the Monroe Street project, the bridge was built with the new steps leading up to the promenade.

Mr. Troen said that in July 1995, RCI announced the signing of the leases for the retail pavilion of the theater. Permits were ready to be pulled for the 1.5 million square foot redevelopment plan, including the retail pavilion and the new parking facility. Designs for the restaurants will include both inside and outside dining areas.

Mr. Troen displayed a superimposed image of the office buildings which will be built as time permits and the market warrants over the existing parking lot. Mr. Troen then answered specific questions raised by the Mayor and Council. Mayor Krasnow noted that the recent Visioning Process showed that there a great deal of interest in what goes on in downtown Rockville. She said that as as the action steps

Meeting No. 08-97

11

February 10, 1997

of the visioning plan were implemented, she anticipated that the City and the developer would work closely together to ensure that some of the visions took place.

Re: Consent Agenda

(A) Award of Bid No. 6507000193
 To: Criswell Chevrolet
 Of: Gaithersburg, MD
 In the amount of: \$33,559.11

For: Purchase of one 3500 HD truck.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, Bid No. 6507000193 was awarded to Criswell Chevrolet for the purchase of one 3500 HD truck.

Re: Adoption of Resolution to approve and authorize execution of a First Amendment to the Transition and Development Agreement by and between the Mayor and Council of Rockville and Rockville Center, Inc.

Resolution No. 02-97

Mayor Krasnow commented that this was the first amendment to the original Transition and Development Agreement. When the Agreement was executed in 1993, the original plan for Block 5 included a two-story retail center placed over underground parking. The current plan calls for restaurant uses over an underground movie theater complex. As a result of the design change, an amendment to the default provision of the Agreement is being requested to reflect the new parking concept for the

Meeting No. 08-97

12

February 10, 1997

development. The proposed amendment is to change Section 9.05.c.(iii) to provide that the 300 parking spaces referenced in Section 9.05.c.(iii) shall be constructed on Lots 2, 3 and/or 4, rather than on Lot 5 extending under East Montgomery Avenue. All of the other terms and provisions of the Agreement will remain unchanged and in full force and effect. Upon motion of Councilmember Marrinan, duly seconded and unanimously passed by a 4 to 0 vote (Councilmember Harrison absent), the Resolution was adopted. A copy of the full text can be found in Resolution Book No. 11 of the Mayor and Council.

Re: Correspondence

There being no matters to discuss under "Correspondence," Mayor Krasnow declared this portion of the meeting closed.

Re: New Business

There being no matters to discuss under "New Business," Mayor Krasnow declared this portion of the meeting closed.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 8:53 p.m., to reconvene immediately following in Worksession with the Historic District Commission.

Re: Worksession with the Historic District Commission (HDC).

The Mayor and Council met with Historic District Chair Anita Neal-Powell and Commissioners Dean Brenneman, Don Crawford, and Craig Moloney. Also in

Meeting No. 08-97

13

February 10, 1997

attendance were Deputy City Manager Julia Novak, Community Development Director Neal Herst, Chief of Planning Lisa Rother, and Planner Regine Charles-Bowser, who serves as Staff Liaison to the Commission. Ms. Neal-Powell and the Commission members reported on the following:

1. Guide to Permit Procedures manual - The manual will be an easy to use guide about preservation, and it will be distributed to all historic property owners in the City. Mr. Moloney reported on plans to also make the manual available on the City's Web Page.

2. Historic Identification Program - Mr. Brenneman and Ms. Charles-Bowers worked to develop sites for the 14 street signs now installed throughout Rockville which identify the City's Historic Districts.

3. RFP #31-97 - Archeological/Historical Survey and Designation - Mr. Crawford said that an RFP was designed to conduct a study on the Chestnut Lodge, Veirs/Wootton's Mill, King Farm, and Thomas Farm properties. The estimated cost of the study is \$75,000 and HDC has come up with \$15,000 this fiscal year. HDC decided to focus on Chestnut Lodge. A Map Amendment will be needed for the property; however, this can be accomplished in-house. The Veirs/Wootton's Mill site can be addressed at a future time because it is on City property.

In Fiscal Year 1998, HDC will be requesting funds to conduct an architectural survey on the Thomas Farm. The Commission will be seeking assistance

from the Recreation and Parks Department in the FY'98 budget, if a grant requested from the Maryland Historic Trust is denied.

4. Designation of City Properties - Mr. Moloney, who serves as HDC's representative on the Glenview Mansion Subcommittee, explained that HDC was responsible for preservation of historical structures, e.g., Glenview Mansion. He noted that the Subcommittee's focus was on exterior measures of the Mansion, i.e., storm door, fire escape, and slate roofing; however, he noted that the Subcommittee's recommendations were not being referred back to the HDC. Mr. Brenneman distributed copies of a draft memo which will be formally transmitted to the Mayor and Council, other boards and commissions, the Glenview Mansion Subcommittee, and staff. The memo summarized the controversy over the Mansion Subcommittee's reluctance to place the Mansion in a Historic District.

Mayor Krasnow agreed that it was time to revisit the issue and she said that the Mayor and Council will decide how to address the matter. Since the HDC memo was also sent to other boards and commissions, the Mayor suggested that HDC get feedback from those groups, as well as any questions that the Mayor and Council may have about the issue. Mr. Brenneman noted that there were significant benefits (e.g., grants for Glenview Mansion) that could not be obtained without redistricting the property. The Commission is also concerned about two other properties eligible for historic designation-- the Dawson Farm Park and the J. Trells-Williams Park.

Meeting No. 08-97

15

February 10, 1997

5. Historic Preservation Awards Ceremony and Other Projects - Ms. Neal-Powell reported that the Commission was co-sponsoring the 1997 Historic Preservation Awards ceremony. HDC posthumously nominated former Commissioner Michael Patterson to receive the Annual Lifetime Achievement Award. The Commission has plans to produce some educational materials to explain the historic district process. Arrangements have been made with the City's Public Information Office to produce a public relations brochure and a historic preservation video. In addition, workshops will be developed to provide technical assistance and preservation information to all interested parties.

6. Good Of The Order - Ms. Neal-Powell expressed appreciation to Regine Charles-Bowser for her service to the Historic District Commission. Mr. Crawford noted that the HDC was the only board/commission with a State mandated continuing education requirement. He said that this requirement makes a strong statement as to the importance of historic preservation.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:29 p.m., to reconvene at 7:30 p.m., in General Session on February 24, 1997, or at the call of the Mayor.